

# Notice of Allowability

Application No.

10/758,287

Examiner

Pranav V. Khatri

Applicant(s)

TOYAMA ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 14 September, 2005.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

The following changes to the drawings have been approved by the examiner and agreed upon by applicant (Applicants representative Stephen W. Palan): the amended drawings submitted on the September 14, 2005 of Fig 1 have two actuators labeled numeral 21 for mirror 12 (X-Axis Scanner) and 22 (Y-Axis Scanner); however, the specification (page 5, lines 3-4) has the X-axis scanner actuator as numeral 11 with mirror 12 respectively, and the Y-axis scanner actuator as numeral 21 with mirror 22 respectively (page 5, lines 5-6). In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

***Allowable Subject Matter***

Claims 1-12 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: claims are allowable at least for the reason that the prior art does not teach or reasonably suggest a corrected target trajectory generating means for correcting a target trajectory so as to cancel a gain characteristic and a phase characteristic of said feedback control means with respect to a specific frequency.

Rohr (4,864,295) teaches a dielectric member that is fixedly mounted on the rotating shaft and techniques for determining the angular position of a moving element using capacitance sensing techniques for determining the angular position of a rotating element, but Rohr lacks the teaching of a corrected target trajectory generating means for correcting a target trajectory so as to cancel a gain characteristic and a phase characteristic of said feedback control means with respect to a specific frequency.

Nassbaum (6,486,683) teaches of an angular position sensor connected to a shaft of a motor that provides feedback signal for a servo loop that controls the angular position of a shaft, and it further relates to a sensor driven by a square wave; but Nassbaum lacks the teaching of a corrected target trajectory generating means for correcting a target trajectory so as to cancel a gain characteristic and a phase characteristic of said feedback control means with respect to a specific frequency.

Ivers (5,844,673) teaches an optical position detector capable of accurately detecting the angular position of rotatable elements with a reduced size and a linear output connected to the detectors being utilized to provide a reliable measurement of

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the angular position of the rotatable element; but Ivers lacks the teaching of a corrected target trajectory generating means for correcting a target trajectory so as to cancel a gain characteristic and a phase characteristic of said feedback control means with respect to a specific frequency.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pranav V. Khatri whose telephone number is 571-272-8311. The examiner can normally be reached on M-F, 8:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on 571-272-2312. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pranav Khatri  
Examiner  
10/26/2005



EUNCHA P. CHERRY  
PRIMARY EXAMINER